

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Tierre Theo Walton,

Case No. 0:20-cv-00165-ECT-KMM

Plaintiff,

v.

ORDER

Blue Earth County, and Bradley Peterson,
Sheriff, Blue Earth County,

Defendants.

This Order addresses several letters Mr. Walton has filed since the Court issued its Scheduling Order on April 7, 2020. These letters were made part of the official record on April 30, May 7, May 26, May 28, and June 2, 2020. ECF Nos. 17, 18, 19, 21, 22. In each letter, Mr. Walton describes matters that arose after he filed his Complaint. The Complaint, which was filed on January 10, 2020, alleges that while in the custody of the Blue Earth County Sheriff at the county jail, Mr. Walton received inadequate medical care for a gunshot wound. ECF No. 1. His claims include: (1) he was not taken to the hospital for a spike in blood pressure, despite a severe risk of blood clots; (2) he was denied access to a wheelchair; and (3) he received no treatment for his and his inability to sleep. *Id.* at 4–5.

The Federal Rules of Civil Procedure provide that “[o]n motion and reasonable notice, the court may, on just terms, permit a party to serve a supplemental pleading setting out any transaction, occurrence, or event that happened after the date of the pleading to be supplemented.” Fed. R. Civ. P. 15(d). It is unclear if Mr. Walton is attempting such an amendment or supplementation. Although the five letters Mr. Walton has filed since April 30th

address events that happened after the date of the Complaint, he has not filed a motion to supplement his pleading or otherwise requested that the Court permit him to do so. The Court issues this Order to provide clarity for both Mr. Walton and the Defendants regarding the scope of the litigation. At this time, because Mr. Walton has not sought leave to amend his complaint or file a supplemental complaint, the Court does not treat these letters as raising any new claims. This case remains limited to the claims set forth in Mr. Walton's original Complaint.

The Scheduling Order set a June 1, 2020 deadline for seeking to amend or supplement the pleadings, including motions to add parties or claims. ECF No. 16. The Court finds there is good cause to modify this deadline because Mr. Walton filed several letters prior to the June 1, 2020 deadline and because he is a pro se litigant. Fed. R. Civ. P. 16(b)(4). Therefore, the Court will extend the deadline for Mr. Walton to file a motion to amend or supplement his Complaint until **July6, 2020**. Before allowing any amendment or supplementation, the Defendants will be given a chance to respond to the motion as contemplated by the Scheduling Order's provisions regarding nondispositive motions. ECF No. 16 at 3 (providing 14 days for a response to any nondispositive motion).

IT IS SO ORDERED.

Dated: June 5, 2020

s/ Katherine Menendez
Katherine Menendez
United States Magistrate Judge